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Lead Counsel for Plaintiffs

UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

RICHARD S. BONDAR, as Trustee of the
Bondar Family Trust Dated 4/1/91, Individually
And On Behalf of All Others Similarly Situated,
Plaintiff,

v.

BANK OF AMERICA CORPORATION, BANC
OF AMERICA INVESTMENT SERVICES,
INC., and BANC OF AMERICA SECURITIES,
LLC,
Defendants.

Case No. CV-08-2599 (JSW)

**SUPPLEMENTAL DECLARATION OF
AARON M. SHEANIN IN FURTHER
SUPPORT OF ADMINISTRATIVE
MOTION RE ORDER APPOINTING
LEAD PLAINTIFF AND LEAD
COUNSEL**

1 I, Aaron M. Sheanin, under penalty of perjury, hereby declare:

2 1. I am a partner of Girard Gibbs LLP, Lead Counsel in the above-captioned action, and am
3 admitted to practice in the Northern District of California. I submit this supplemental declaration in
4 further support of the Administrative Motion re Order Appointing Lead Plaintiff and Lead Counsel.

5 2. On August 7, 2008, I submitted a declaration in support of the Administrative Motion re
6 Order Appointing Lead Plaintiff and Lead Counsel. In that declaration, I stated that members of my
7 firm had spoken with counsel for plaintiffs in the three other auction rate securities class actions pending
8 against Bank of America (*Bearman v. Bank of America Corp., et al.*, Case No. 08-1115 (DMS) (WMC)
9 (S.D. Cal.); *Cattell v. Bank of America Corp., et al.*, Case No. 08-511 (GPM) (S.D. Ill.); *Ben-Tal v.*
10 *Bank of America Corp. et al.*, 08-4767 (MRP) (PLA) (C.D. Cal.)), and that plaintiffs' counsel in each of
11 those actions had authorized my firm to inform the Court that they would promptly dismiss their actions
12 without prejudice, to allow the auction rate securities class action litigation against Bank of America to
13 proceed only in the *Bondar* case pending before this Court.

14 3. Notices of Voluntary Dismissal have now been filed in all three of the other auction rate
15 securities class actions pending against Bank of America. Attached hereto as **Exhibit A** is a true and
16 correct copy of the Notice of Voluntary Dismissal filed in the *Bearman* action. Attached hereto as
17 **Exhibit B** is a true and correct copy of the Notice of Voluntary Dismissal filed in the *Cattell* action.
18 Attached hereto as **Exhibit C** is a true and correct copy of the Notice of Voluntary Dismissal filed in the
19 *Ben-Tal* action.

20 I declare under penalty of perjury under the laws of the United States of America that the
21 foregoing is true and correct. Executed this 25th day of August, 2008 at San Francisco, California.

22
23 /s/ Aaron M. Sheanin
24 Aaron M. Sheanin
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CERTIFICATE OF SERVICE

I, Aaron M. Sheanin, hereby certify that on August 25, 2008, I caused the foregoing document to be filed electronically with the United States District Court for the Northern District of California's through the Court's mandated ECF service. Counsel of record are required by the Court to be registered e-filers, and as such are automatically e-served with a copy of the document(s) upon confirmation of e-filing.

I also caused the foregoing document to be delivered via first-class mail on:

Eileen L. McGeever
Rushall & McGeever
6100 Innovation Way
Carlsbad, CA 92009

Corey D. Sullivan
Carey & Danis, LLC
8235 Forsyth Blvd., Suite 1100
St. Louis, MO 63015

Counsel for Plaintiff Cattell

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Khorrami Pollard & Abir LLP
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Los Angeles, CA 90071

Jeff S. Westerman
Milberg LLP
One California Plaza
300 South Grand Ave, Suite 3900
Los Angeles, CA 90071

Counsel for Plaintiff Bearman

Attorney for Hanoach Ben-Tal

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 25th day of August, 2008 at San Francisco, California.

/s/ Aaron M. Sheanin

EXHIBIT A

1 appointment as lead plaintiff, nor did Plaintiffs in a third similar federal securities
 2 action currently pending in the Central District of California, entitled *Hanoch Ben-*
 3 *Tal as Trustee for the Ben-Tal Family Trust and Aric A. Streit and Mary Streit as*
 4 *Trustees for the Benefit of the Streit Living Trust, Individually and on Behalf of*
 5 *All Others Similarly Situated v. Bank of America, et al.*, No. CV 08-4767 MRP
 6 (PLAX). Plaintiffs in *Hanoch Ben-Tal* have served notice of the voluntary
 7 dismissal of that case, on the same bases as the notice herein. We dismiss the
 8 action here in favor of the action moving forward in the Northern District of
 9 California, to the benefit of all class members.

10 Respectfully submitted,

11 RUSHALL & McGEEVER

12
 13 Dated: August 21, 2008

/s/ Eileen L. McGeever
 Eileen L. McGeever

14 Eileen L. McGeever
 15 RUSHALL & McGEEVER
 16 6100 Innovation Way
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18 Shawn Khorrami
 19 KHORRAMI POLLARD & ABIR LLP
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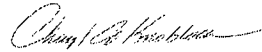
1 rules, the Clerk of the Court will send e-mail notification of such filing to the
2 following persons:

3 David I. Hurwitz
4 dhurwitz@omm.com

5 Jeff S. Westerman
6 jwesterman@milberg.com

7 I declare under penalty of perjury under the laws of the State of California
8 that the foregoing is true and correct.

9 Executed on August 21, 2008, at Carlsbad, California.

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12 Cheryl A. Knoblock
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EXHIBIT B

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS

LAWRENCE CATTELL, Individually and On
Behalf of All Others Similarly Situated,

Plaintiff,

v.

BANK OF AMERICA CORPORATION, BANC
OF AMERICA INVESTMENT SERVICES,
INC., and BANC OF AMERICA SECURITIES,
LLC,

Defendants.

Case No. 08-511-GPM

NOTICE OF VOLUNTARY DISMISSAL

NOTICE IS HEREBY GIVEN that pursuant to Fed. R. Civ. P. 41(a), Plaintiff voluntarily
dismisses the above-captioned action without prejudice.

DATED: August 14, 2008

Respectfully submitted,

By: /S/ Corey D. Sullivan

Corey D. Sullivan IL Bar #6294688

Joseph P. Danis

Michael J. Flannery

CAREY & DANIS, LLC

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Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served by U.S. Mail, postage prepaid, on this
14th day of August, to the following:

Banc of America Investment Services, Inc.
c/o CT Corporation System
208 South LaSalle Street, Suite 814
Chicago, IL 60604

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Bank of America Corporation.
c/o CT Corporation System
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EXHIBIT C

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*Counsel for Hanoch Ben-tal as Trustee for the benefit of the Ben-tal Family Trust
and Aric A. Streit and Mary Streit as Trustees for the benefit of the Streit Living
Trust and the Proposed Class*

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

HANOCH BEN-TAL AS TRUSTEE
FOR THE BENEFIT OF THE BEN-
TAL FAMILY TRUST AND ARIC A.
STREIT AND MARY STREIT AS
TRUSTEES FOR THE BENEFIT OF
THE STREIT LIVING TRUST,
Individually And On Behalf of All
Others Similarly Situated,

Plaintiffs,

vs.

BANK OF AMERICA
CORPORATION, BANC OF
AMERICA INVESTMENT SERVICES,
INC., and BANC OF AMERICA
SECURITIES, LLC,

Defendants.

Civil Action No. CV 08-4767 MRP
(PLAX)

CLASS ACTION

NOTICE OF VOLUNTARY
DISMISSAL

JUDGE: HON. MARIANA R.
PFAELZER

1 NOTICE IS HEREBY GIVEN that pursuant to Fed. R. Civ. P. 41(a),
2 Plaintiffs voluntarily dismiss the above-captioned action without prejudice. A
3 similar federal securities action is currently pending in the Northern District of
4 California entitled *Richard S. Bondar, as Trustee of the Bondar Family Trust*
5 *Dated 4/1/91 v. Bank of America Corporation, et al.*, No. CV-08-2599 (JSW) (the
6 "Northern District Action"). The plaintiff in the Northern District Action
7 ("Bondar") incurred the largest financial loss and was appointed lead plaintiff in
8 that action. Plaintiffs did not object to Bondar's appointment as lead plaintiff. We
9 dismiss the action here in favor of the action moving forward in the Northern
10 District of California.

11
12 Dated: August 14, 2008

Respectfully submitted,
MILBERG LLP
JEFF S. WESTERMAN

13
14
15 /s/ Jeff S. Westerman
JEFF S. WESTERMAN

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*Counsel for Hanoch Ben-Tal as Trustee
for the benefit of the Ben-Tal Family
Trust and Aric A. Streit and Mary Streit
as Trustees for the benefit of the Streit
Living Trust And The Proposed Class*

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DECLARATION OF SERVICE BY MAIL

I, the undersigned, declare:

1. That declarant is and was, at all times herein mentioned, employed in the County of Los Angeles, over the age of 18 years, and not a party to or interest in the within action; that declarant's business address is One California Plaza, 300 South Grand Avenue, Suite 3900, Los Angeles, California 90071-3149.

2. That on August 14, 2008, declarant served the NOTICE OF VOLUNTARY DISMISSAL by depositing a true copy thereof in a United States mailbox at Los Angeles, California in a sealed envelope with postage thereon fully prepaid and addressed to the parties listed on the attached Service List.

3. That there is a regular communication by mail between the place of mailing and the places so addressed.

I declare under penalty of perjury that the foregoing is true and correct.
Executed this 14th day of August, 2008, at Los Angeles, California.



ANN MARIE GENOVESE

Bank of America Corporation
Service List

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8 **Defendants Counsel:**

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